

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADALBERTO VELAZQUEZ,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: July 9, 2020

20-CV-4981 (KMW)

19-CR-0116 (KMW)

ORDER TO ANSWER, 28 U.S.C. § 2255

KIMBA M. WOOD, United States District Judge:

The Court, having concluded that the motion brought under 28 U.S.C. § 2255¹ should not be summarily dismissed as being without merit, hereby ORDERS that:

The Clerk of Court shall electronically notify the Criminal Division of the U.S. Attorney's Office for the Southern District of New York that this order has been issued.

On or before September 7, 2020, the U.S. Attorney's Office shall file an answer or other pleadings in response to the motion. Movant may file a response on or before October 30, 2020. Absent further order, the motion will be considered fully submitted as of that date.

All further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case.

SO ORDERED.

Dated: July 9, 2020
New York, New York

/s/ Kimba M. Wood

KIMBA M. WOOD
United States District Judge

¹ The motion, initially filed in the United States District Court for the Eastern District of New York and styled as a petition under 28 U.S.C. § 2241, was recharacterized as a motion under 28 U.S.C. § 2255 and transferred to this Court. *See Velazquez v. United States*, 20-CV-2791 (E.D.N.Y. June 29, 2020) (Donnelly, J.).